

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

QIAN WILLIAMS,  
Plaintiff,

Case No. 1:22-cv-1  
Dlott, J.  
Litkovitz, M.J.

vs.

CHRIS MINIARD, *et al.*,  
Defendants.

**ORDER**

This matter is before the Court on plaintiff's motions seeking the appointment of counsel and the production of various types of evidence. (Docs. 6, 8). The Court construes the latter component as a request to compel discovery. This matter was removed from the Butler County Court of Common Pleas in Butler County, Ohio (Case No. CV 2021 10 1565). (Doc. 1).

The appointment of counsel in a civil proceeding is not a constitutional right and is justified only by exceptional circumstances. *Lavado v. Keohane*, 992 F.2d 601, 605-06 (6th Cir. 1993). *See also Lanier v. Bryant*, 332 F.3d 999, 1006 (6th Cir. 2003). Moreover, there are not enough lawyers who can absorb the costs of representing persons on a voluntary basis to permit the Court to appoint counsel for all who file cases on their own behalf. The Court makes every effort to appoint counsel in those cases that proceed to trial, and in exceptional circumstances will attempt to appoint counsel at an earlier stage of the litigation. No such circumstances appear in this case.

As it relates to discovery, there is no indication that plaintiff conferred with defendants' counsel prior to filing his motions as required by Fed. R. Civ. P. 37(a) and S.D. Civ. R. 37.1. Nor do plaintiff's motions include a certification that he has in good faith conferred or attempted to confer with counsel for defendants in an effort to obtain the discovery without Court action. Fed. R. Civ. P. 37(a)(1). Plaintiff must serve discovery (such as interrogatories, document

demands, or requests for admission) on defendants using the discovery methods set forth in the Federal Rules of Civil Procedure. *See* Fed. R. Civ. P. 30-36.

For the foregoing reasons, plaintiff's motions (Doc. 6, 8) are **DENIED**.

**IT IS SO ORDERED.**

Date: 4/5/2022

  
Karen L. Litkovitz  
United States Magistrate Judge